

Section 10 Greenway Maintenance and Management

10.1 Maintenance and Management

The trail planning and design process should include management plans that help trail managers' direct operational funds for various maintenance projects. Three main types of maintenance programs are: routine, long-term, and emergency repairs. Routine maintenance varies between daily, weekly, and monthly tasks for minor repairs, vegetation control, security patrol, and refuse removal. Frequency of routine maintenance is directly related to the amount of usage and availability of funds. Long-term maintenance programs include renovation of facilities and trail resurfacing. If long-term maintenance programs are deferred, the safety of the trail is compromised and costly capital improvement funds to renovate damaged areas will be required. Emergency repairs are necessitated when storm damage makes the trail unsafe for daily use.

Maintenance access is necessary for the continued long-range health of the surrounding environment and performance of the trail. A minimum 8' wide trail surface for 6' wide maintenance equipment (ATV type) is necessary for proper ingress and egress on nature trails. Wider access is necessary for paved and multiuse trails. The ability to provide proper routine maintenance must also incorporate preserving the environmental integrity and character of any environmental areas that are adjacent to the trail. Most maintenance access points also suffice as emergency access points.

10.2 Ownership and Liability

Regardless of who owns the property, the uses that are permitted by a landowner do not provide liability against the landowner in the event of accident or injury. The risk assumed is born entirely by the user. Permission given by a landowner to a participant neither implies nor expressly represents that the premises are safe for such purposes. On County owned land, the municipality cannot be sued on grounds of *sovereign immunity*. Further information is provided under Virginia Code ~29.1-509 (Duty of care and liability).

Any landowner who gives permission, express or implied, to another person to hunt, fish, launch and retrieve boats, swim, ride, foxhunt, trap, camp, hike, rock climb, hang glide, skydive, sightsee, engage in races, to collect, gather, cut or remove forest products upon land or premises for the personal use of such person, or for the use of an easement as set forth in subsection B does not thereby:

1. Impliedly or expressly represent that the premises are safe for such purposes; or
2. Constitute the person to whom such permission has been granted an invitee to whom a duty of care is owed; or
3. Assume responsibility for or incur liability for any intentional or negligent acts of such person or any other person, except as provided in subsection D.

10.3 Safety and Security

Safety concerns need to be addressed to minimize accidents and exposure to risk. Trail advocates address most safety concerns during the design process. Enhanced safety design elements such as lighting and emergency phones, limiting deep shadows and obstructions,

creating clear sight lines, and selective vegetation create environmentally enjoyable trails that minimize risks. Many localities have Adopt-A-Trail programs where local residents police trails much like Neighborhood Watch. Large municipal trail systems often employ park rangers on site with enforcement authority. Trails are typically accessible during daylight hours only, and violations after dark are viewed as trespassing. Violations should be reported to James City County Police, and if necessary, the Division of Parks and Recreation. Emergency access points for Police, Fire, and EMS should be signed and have restricted-access bollards that allow emergency personnel into the site while prohibiting access by unauthorized persons. However, even when these precautions have been taken, some citizens remain fearful of crime on trails. Appendix 13.2 tries to alleviate some trail misconceptions associated with trails and public safety.

10.4 Operations

Even before trails have been designed and installed, an operational plan should be devised to manage routine maintenance, safety and upkeep expenses for the greenway or trail facility. An annual trail maintenance and operational budget, made part of the Parks and Recreation operational budget, will document maintenance items, facility improvements, and appropriate costs to ensure the long-term health of the facility, the environment, and safety for users.

Facility inspections are an essential part of maintaining any facility. Greenways and trails will have routine monthly inspections to look for safety and repair issues that occur throughout the life of the facility. More comprehensive inspections will occur twice a year to record user impacts, wear and tear, and other factors that may affect the safety of users, environmental features, or the structural integrity of the facility. Routine and comprehensive maintenance inspections will result in maintenance work orders. Maintenance and repair projects can be dispensed either through annual service contracts put out to bid, or become an integral part of the Facilities Management maintenance program.

The opportunity for citizens to become involved in various trail maintenance programs is available through the Division's "Adopt-A-Park" program. Materials can be donated by a group, provided through a corporate sponsor, or purchased by the County. Volunteer labor represents a tremendous asset in saving limited financial resources, as two-thirds of most maintenance expenses are directly related to labor costs; labor costs for repairs are even higher.

Infrequently, severe weather and storm events may cause damage to the facility either through wind, erosion, or fallen trees. An emergency plan should also be established in the event of extreme weather, such as hurricanes, tornados, floods, and high winds. In these cases, emergency repair funds for severe and extreme weather should be allocated and allowed to rollover from year to year for this inevitability. Trail signage should indicate that when severe weather is expected, citizens should stay away from wooded areas. When extreme weather is expected, efforts should be taken to close trail to protect the safety of the public.